IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 26TH NOVEMBER 2007/ 5TH AGRAHAYANA 1929

Bail Appl..No. 7230 of 2007()

CRMP.9490/2007 of J.M.F.C.-III, PUNALUR
CRIME NO.128/07 OF PATHANAPURAM EXCISE RANGE

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: PETITIONER

AJITH ALIAS SIYAD, S/O.ABDUL SALIM @
RAJAN, AGED 25, KIZHAKKEKARA PUTHEN VEEDU,
KADASSERY KOPPAM, PUNNALA VILLAGE,
PATHANAPURAM TALUK.

BY ADV. SRI.S.SREEKUMAR

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.V.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. No. 7230 OF 2007

Dated this the 26th day of November, 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 35 litres of arrack and 2100 litres of wash as also utensils for distillation on 11/10/2007. He was arrested and continues in custody from that date. He has no history of any criminal antecedents, submits the learned Public Prosecutor. An earlier application for regular bail was dismissed by this Court as per order dated 5.11.07 in B.A.6690/07.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer may be given reasonable time to complete the investigation and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner can now be enlarged on bail on the following terms and conditions:-

i) The petitioner shall not be released on bail on the strength of this order prior to 7/12/2007. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.1,00,000/- (Rupees one

lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of three months and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

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